

BOROUGH OF RUMSON
COUNTY OF MONMOUTH

AN ORDINANCE AMENDING CHAPTER XXII OF THE CODE OF THE BOROUGH OF RUMSON (THE DEVELOPMENT REGULATIONS OF THE BOROUGH OF RUMSON) TO AMEND CERTAIN GENERAL ZONING PROVISIONS.

BE IT ORDAINED by the Borough Council of the Borough of Rumson, County of Monmouth, and State of New Jersey that the Zoning Map, referred to in Subsection 22-5.1, Zoning Map and Schedule, and Subsection 22-5.15, Mixed-Use Affordable Housing Overlay Zone, of Chapter XXII, Development Regulations, of the Code of the Borough of Rumson, is hereby amended as follows:

PURPOSE

The purpose of this ordinance is to amend the Zoning Map to adjust the dividing line between the R-5 Residential Zone District and the GB (General business) Zone District to expand to the GB Zone to incorporate four (4) lots that contain commercial uses that were approved by use variance, as recommended by the Borough Planning Board in their Master Plan Reexamination Report dated November 12, 2012; and to change the Administrative Entity for Mixed-Use Affordable Housing.

Chapter XXII, Development Regulations, of the Code of the Borough of Rumson is hereby amended or supplemented as follows (new text is double underlined; text to be deleted is ~~struck through~~, and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized)

SECTION 1

That Chapter XXII, Development Regulations, Section 5, Zoning District Regulations, Subsection 22-5.1 (Zoning Map and Schedule) and Subsection 22-5.15 (Mixed-Use Affordable Housing Overlay Zone) are be amended to read as follows:

22-5 ZONING DISTRICT REGULATIONS.

22-5.1 Zoning Map and Schedule.

- a. *Establishment, Authentication, Maintenance, and Revision.*
 - 1. Zoning Map. The locations and boundaries of the districts of the Borough are hereby established as shown on the Zoning Map of the Borough of Rumson, New Jersey which is attached hereto and is hereby made a part of this chapter, together with all notations, references and designations shown thereon and dated and amended as follows.
 - (a) The Zoning Map is hereby amended as shown on Exhibit A* attached hereto and made a part of this chapter, specifically the dividing lines between the POS (Public Facilities and Open Space), R-5 (Residential) and GB (General Business) Zone Districts shall be adjusted to the heavy solid line as shown.
 - (b) The Official Zoning Map of the Borough of Rumson, adopted December 6, 1989, as amended is further amended as follows:

<u>Proposed Zoning Changes</u>			
<u>Borough of Rumson</u>			
<u>Block</u>	<u>Lot</u>	<u>Zone Change</u>	<u>Location</u>
<u>5</u>	<u>2</u>	<u>R-5 to GB</u>	<u>Barnacle Bills/1 First Street</u>
<u>25</u>	<u>4</u>	<u>R-5 to GB</u>	<u>Bank of America/49 W. River Road</u>
<u>26</u>	<u>1</u>	<u>R-5 to GB</u>	<u>JNM Office Building/47 W. River Road</u>
<u>30</u>	<u>3.01</u>	<u>R-5 to GB</u>	<u>JNM Office Building/38 Bingham Avenue</u>

Specifically the dividing lines between the, R-5 (Residential) and GB (General Business) Zone Districts shall be adjusted to the heavy solid line as shown on Exhibit “A through C” attached hereto.

- 2. Schedule of District Regulations. through 5. Revisions to the Official Zoning Map.
 - No Change.

b. *Interpretation of District Boundaries.* No Change.

22-5.2 Description of Districts. through 22-5.14 Regulations Controlling the H-BP Historic-Barley Point Seasonal Residential Zone District.

No Change.

22-5.15 Mixed-Use Affordable Housing Overlay Zone.

a. *Purpose* through b. *General Requirements and Conditions* No Change.

c. *Administrative Entity.*

1. The Borough has designated ~~the Township of Middletown~~ an agency appointed by the Mayor and Council to act as the Borough's Affordable Housing Authority as the administrative entity that will administer the affordable units created in accordance with the Borough's Mixed-Use Affordable Housing Overlay Zone. The administrative responsibilities of ~~Middletown Township~~ the Borough's Affordable Housing Authority include advertising, income qualifying prospective renters, setting rents and annual rental increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the accessory unit program. The ~~Township of Middletown~~ Borough's Affordable Housing Authority shall administer the program in accordance with COAH's regulations and the subsection 22-7.35, Affirmative Marketing of Affordable Housing Units, and subsection 22-7.36, Affordable Housing Developments.

2. The Borough retains jurisdiction on all other approvals required by this chapter, including, but not limited to, development permits and variances, subdivision or site plan approvals.

d. *Change in Use.* Any change in use effecting an approved mixed-use affordable housing development shall be subject to site plan approval by the Borough, except as otherwise exempted from site plan approval by this chapter. The conversion of a non-affordable residential unit to an affordable unit shall be permitted, subject only to administrative support by ~~Middletown Township~~ the Borough's Affordable Housing Authority.

SECTION 2

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3

The Borough Clerk is hereby directed, upon adoption of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

SECTION 4

This Ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

Introduced: July 8, 2014.

Passed and Approved:

I hereby approve of the
passing of this ordinance.

John E. Ekdahl
Mayor

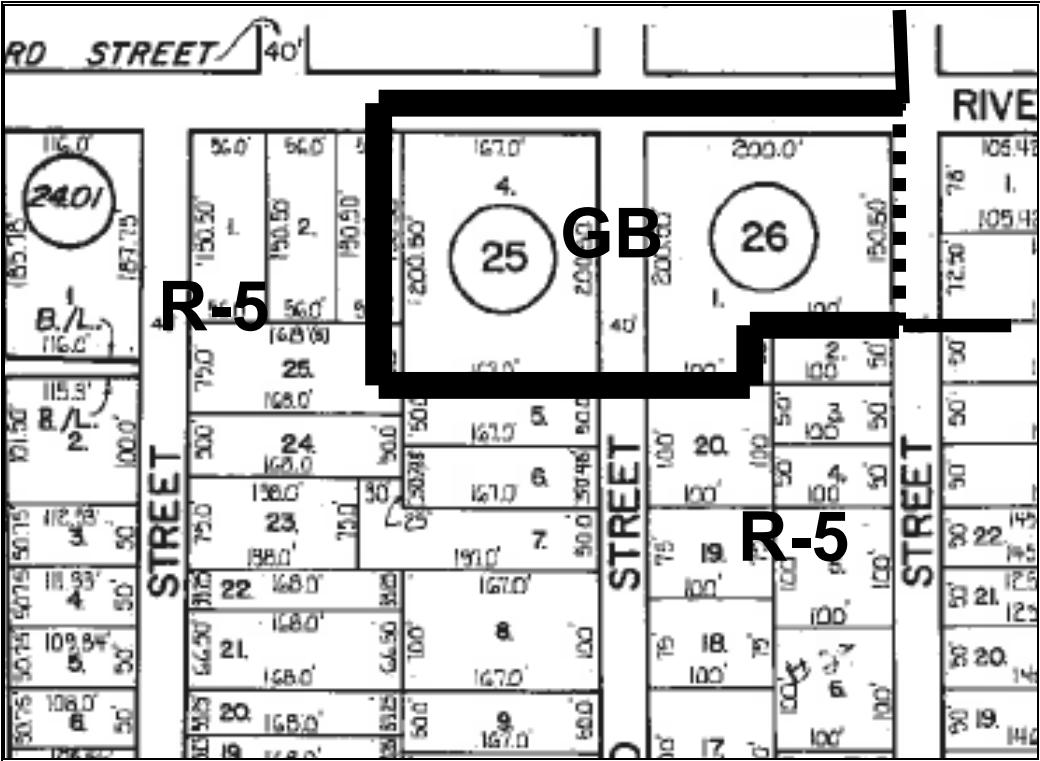
Attest:

Thomas S. Rogers
Municipal Clerk/Administrator

Exhibit "A"

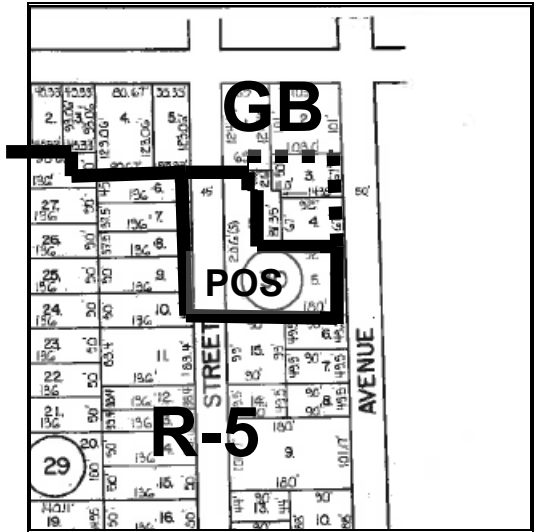
Zone District Line Adjustment

Block 25 Lot4 and Block 26 Lot 1



- Relocated Zone Line
- Former Zone Line

Exhibit “B”
Zone District Line Adjustment
Block 30 Lot 3.01





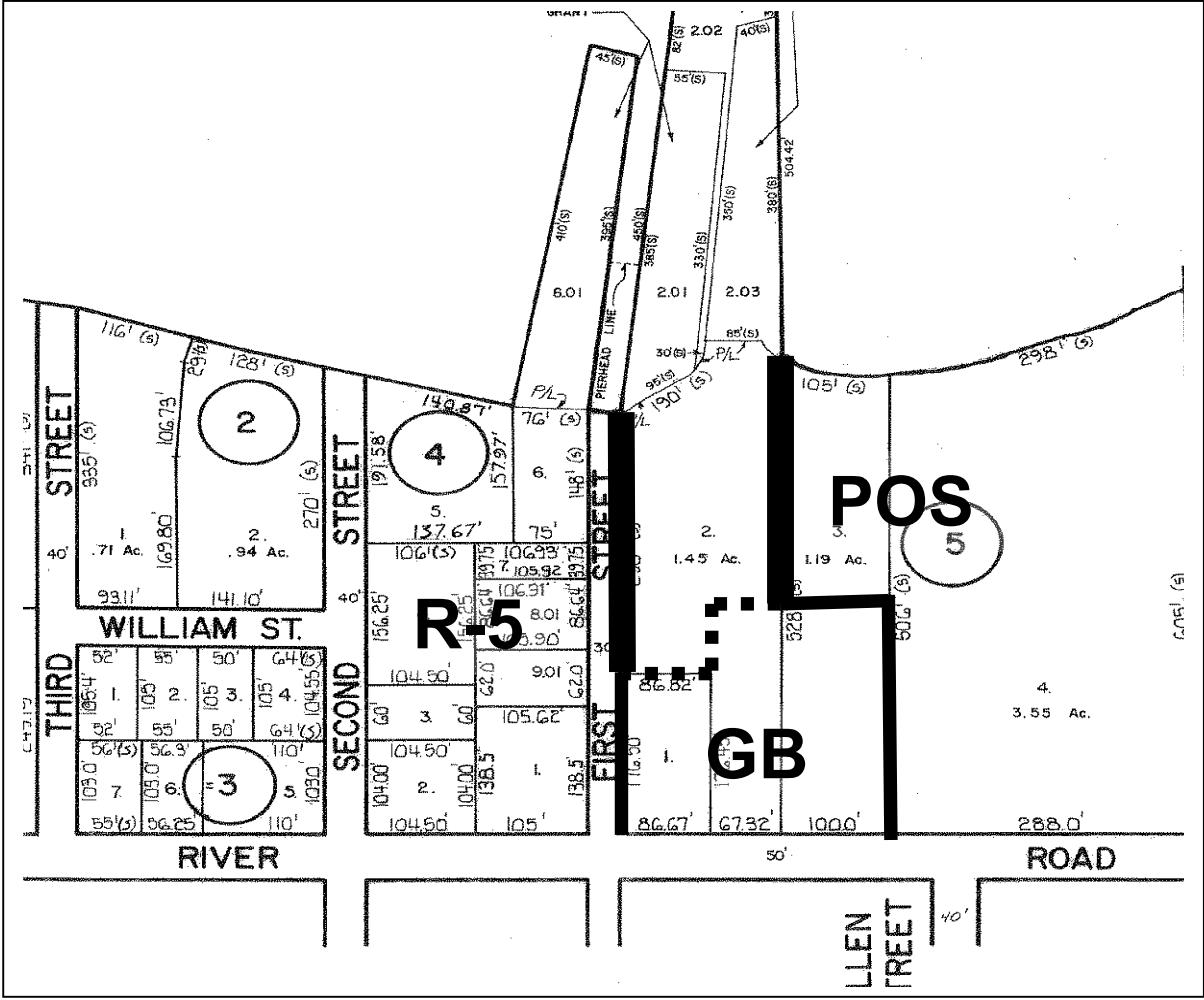


-  - Relocated Zone Line
-  - Former Zone Line

Exhibit "C"

Zone District Line Adjustment

Block 5 Lots 1 and 2



-  - Relocated Zone Line
-  - Former Zone Line